

REMARKS

Upon entry of the foregoing Amendment, claims 1-16 and 19-30 are pending in the application. Claims 1-8, 10-16, 19, 22-25, 27, and 30 have been amended; claims 17 and 18 were previously cancelled. Applicants believe that this Amendment does not add new matter. In view of the foregoing Amendment and following Remarks, allowance of all the pending claims is requested.

By the foregoing Amendment, Applicants have amended and/or cancelled various claims solely for purposes of expediting prosecution of this Application. Applicants expressly reserve the right to prosecute the subject matter of any claim pending prior to the foregoing Amendment, or any other subject matter supported by the Specification, in one or more continuation and/or divisional applications.

Claim Objections

The Examiner has objected to claims 5 and 24 because of typographical errors. Applicants have amended these claims to correct these typographical errors. Applicants request that the Examiner withdraw this objection to the claims.

Rejection Under 35 U.S.C. § 101

The Examiner has rejected claims 10-12 under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Applicants traverse this rejection because the claims are directed toward statutory subject matter.

Nonetheless, solely to expedite prosecution of this application, Applicants have amended the claims to recite a "tangible computer-readable storage medium" that is statutory subject matter. Accordingly, the rejection of the claims as amended is improper and must be withdrawn.

Rejection Under 35 U.S.C. § 112

The Examiner has rejected claims 19 and 24 under 35 U.S.C. § 112 for antecedent basis. Applicants traverse this rejection because "apparatus" is introduced in the preamble and therefore has antecedent basis. Accordingly, Applicants request that the Examiner withdraw this rejection of the claims.

Rejection Under 35 U.S.C. § 103

The Examiner has rejected claims 1-16 and 19-30 under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent Publication No. 2002/0177471 to Kaaresoja ("Kaaresoja"). Applicants traverse this rejection because Kaaresoja does not teach or suggest all the features of the claimed invention. Nonetheless, solely to expedite prosecution of this application, Applicants have amended the claims to clarify various features of the claimed invention. Kaaresoja does not teach or suggest all the features of the claims as amended.

1. Claims 1, 10, and 19

More particularly, Kaaresoja does not teach or suggest at least the feature of "outputting, at the first communication device, a request to initiate a contact with the first user-interface member when the first virtual touch is received and a second request to initiate a contact with the second user-interface member when the second virtual touch is received" as recited in amended claim 1. Claims 10, and 19 have been amended to recite similar features.

The claims as amended clearly recite requests to initiate a contact with different user-interface members ("first and second user-interface members") when different virtual touches ("first and second virtual touches") are received. Kaaresoja does not teach or suggest at least this feature of the claims as amended. Solely for the sake of argument, even if it is "common in the art that the display of a mobile phone outputs a request to initiate a contact with an user-interface member...to open a text message" as alleged by the Examiner's Official Notice (*Office Action* at page 5, lines 1-3), it is not common knowledge to request a contact with different user-interface members to open different text messages. For at least these reasons, Kaaresoja, either alone or combined with alleged common knowledge, fails to teach or suggest all the features of the claimed invention. Accordingly, the rejection is improper and must be withdrawn.

2. Claims 5, 13, and 24

Kaaresoja does not teach or suggest at least the feature of “the virtual touch indicator indicates a particular one of the plurality of user-interface members to be contacted by an operator of the first communication device to receive the virtual touch” as recited in amended claim 5. Claims 13 and 24 have been amended to recite similar features. As previously noted above with regard to the Examiner’s taking of Official Notice, it is not common knowledge to request a contact with different user-interface members to open different text messages. Thus, it is not common knowledge to indicate a particular one of the plurality of user-interface members to be contacted as claimed. For at least these reasons, Kaaresoja, either alone or combined with alleged common knowledge, fails to teach or suggest all the features of the claimed invention. Accordingly, the rejection is improper and must be withdrawn.

3. Remaining Pending Claims

Claims 2-4, 6-9, 11, 12, 14-16, 20-23, and 25-30 depend from and add features to one of claims 1, 5, 10, 13, 19, and 24. As such, for at least the reasons discussed above with regard to claims 1, 5, 10, 13, 19, and 24, the rejection of these dependent claims is improper and must be withdrawn.

CONCLUSION

Having addressed each of the foregoing rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, the Application is in condition for allowance. Notice to that effect is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

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Respectfully submitted,

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